



# House of Representatives

General Assembly

**File No. 429**

February Session, 2002

Substitute House Bill No. 5651

*House of Representatives, April 10, 2002*

The Committee on Judiciary reported through REP. LAWLOR of the 99th Dist., Chairperson of the Committee on the part of the House, that the substitute bill ought to pass.

## **AN ACT CONCERNING STATUTORY OATHS.**

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Section 1-24 of the general statutes, as amended by public  
2 act 01-7 and section 1 of public act 01-84, is repealed and the following  
3 is substituted in lieu thereof (*Effective October 1, 2002*):

4 The following officers may administer oaths: (1) The clerks of the  
5 Senate, the clerks of the House of Representatives and the chairpersons  
6 of committees of the General Assembly or of either branch thereof,  
7 during its session; (2) state officers, as defined in subsection (t) of  
8 section 9-1, judges and clerks of any court, family support magistrates,  
9 judge trial referees, justices of the peace, commissioners of the Superior  
10 Court, notaries public, commissioners appointed by the Governor to  
11 take acknowledgment of deeds, town clerks and assistant town clerks,  
12 in all cases where an oath may be administered, except in a case where  
13 the law otherwise requires; (3) commissioners on insolvent estates,  
14 auditors, arbitrators and committees, to parties and witnesses, in all

15 cases tried before them; (4) assessors and boards of assessment  
16 appeals, in cases coming before them; (5) commissioners appointed by  
17 governors of other states to take the acknowledgment of deeds, in the  
18 discharge of their official duty; (6) the moderator of a school district  
19 meeting, in such meeting, to the clerk of such district, as required by  
20 law; (7) the first selectman, in any matter before the board of  
21 selectmen; (8) the Chief Medical Examiner, Deputy Medical Examiner  
22 and assistant medical examiners of the Office of the Medical Examiner,  
23 in any matter before them; (9) registrars of vital statistics, in any matter  
24 before them; (10) any chief inspector or inspector appointed pursuant  
25 to section 51-286; (11) registrars of voters, deputy registrars, assistant  
26 registrars, and moderators, in any matter before them; (12) special  
27 assistant registrars, in matters provided for in subsections (b) and (c) of  
28 section 9-19b and section 9-19c; (13) the Commissioner of Public Safety  
29 and any sworn member of any local police department or the Division  
30 of State Police within the Department of Public Safety, in all affidavits,  
31 statements, depositions, complaints or reports made to or by any  
32 member of any local police department or said Division of State Police  
33 or any constable who is under the supervision of said commissioner or  
34 any of such officers of said Division of State Police and who is certified  
35 under the provisions of sections 7-294a to 7-294e, inclusive, as  
36 amended, and performs criminal law enforcement duties; (14) judge  
37 advocates of the United States Army, Navy, Air Force and Marine  
38 Corps, law specialists of the United States Coast Guard, adjutants,  
39 assistant adjutants, acting adjutants and personnel adjutants,  
40 commanding officers, executive officers and officers whose rank is  
41 lieutenant commander or major, or above, of the armed forces as  
42 defined in section 27-103 to persons serving with or in the armed  
43 forces as defined in said section or their spouses; (15) investigators,  
44 deputy investigators, investigative aides, secretaries, clerical assistants,  
45 social workers, social worker trainees, paralegals and certified legal  
46 interns employed by or assigned to the Public Defender Services  
47 Commission in the performance of their assigned duties; (16) bail  
48 commissioners, assistant bail commissioners and secretaries and  
49 clerical assistants employed in the office of the Bail Commission in the

50 performance of their assigned duties; (17) juvenile matter investigators  
51 employed by the Division of Criminal Justice in the performance of  
52 their assigned duties; (18) the chairperson of the Connecticut Siting  
53 Council or the chairperson's designee; (19) the presiding officer at an  
54 agency hearing under section 4-177b; (20) family relations counselors  
55 of the Family Division of the Superior Court, support enforcement  
56 officers and investigators employed by the Department of Social  
57 Services Bureau of Child Support Enforcement and the Judicial  
58 Department in the performance of their assigned duties; (21) the  
59 chairperson, vice-chairperson and members of the Board of Parole,  
60 parole officers and parole supervisors in the performance of their  
61 assigned duties; and (22) the Commissioner of Correction or the  
62 commissioner's designee.

63 Sec. 2. Section 1-25 of the general statutes is repealed and the  
64 following is substituted in lieu thereof (*Effective October 1, 2002*):

65 The forms of oaths shall be as follows, to wit:

66 FOR MEMBERS OF THE GENERAL ASSEMBLY, EXECUTIVE  
67 AND JUDICIAL OFFICERS.

68 You do solemnly swear (or affirm, as the case may be) that you will  
69 support the Constitution of the United States, and the Constitution of  
70 the state of Connecticut, so long as you continue a citizen thereof; and  
71 that you will faithfully discharge, according to law, the duties of the  
72 office of .... to the best of your abilities; so help you God.

73 FOR NOTARIES PUBLIC.

74 You do solemnly swear (or affirm, as the case may be) that you will  
75 support the Constitution of the United States, and the Constitution of  
76 the state of Connecticut; and that you will faithfully discharge,  
77 according to law, the duties of the office of notary public to the best of  
78 your abilities; so help you God.

79 FOR ELECTORS.

80 You solemnly swear (or affirm, as the case may be) that you will be  
81 true and faithful to the constitutions and governments of the State of  
82 Connecticut and the United States of America; that the statements  
83 made in your application for admission as an elector are true and  
84 complete; and that your privileges as an elector are not forfeited by  
85 reason of conviction of a felony; so help you God.

86 FOR ATTORNEYS.

87 [You solemnly swear (or affirm, as the case may be) that you will do  
88 no falsehood, nor consent to any to be done in court, and, if you know  
89 of any to be done, you will give information thereof to the judges, or  
90 one of them, that it may be reformed; you will not wittingly or  
91 willingly promote, sue or cause to be sued, any false or unlawful suit,  
92 or give aid, or consent, to the same; you will delay no person for lucre  
93 or malice; but will exercise the office of attorney, within the court  
94 wherein you may practice, according to the best of your learning and  
95 discretion, and with fidelity, as well to the court as to your client; so  
96 help you God.]

97 You solemnly swear or solemnly and sincerely affirm, as the case  
98 may be, that you will do nothing dishonest, and will not knowingly  
99 allow anything dishonest to be done in court, and that you will inform  
100 the court of any dishonesty of which you have knowledge; that you  
101 will not knowingly maintain or assist in maintaining any cause of  
102 action that is false or unlawful; that you will not obstruct any cause of  
103 action for personal gain or malice; but that you will exercise the office  
104 of attorney, in any court in which you may practice, according to the  
105 best of your learning and judgment, faithfully, to both your client and  
106 the court; so help you God or upon penalty of perjury.

107 [FOR GRAND JURORS IMPANELED IN COURT.

108 You solemnly swear by the name of the ever-living God, (or affirm,  
109 as the case may be) that you will diligently inquire after, and due  
110 presentment make, of all breaches of law that shall come to your  
111 knowledge, according to your charge; the secrets of the cause, your

112 own, and your fellows', you will duly observe and keep; you will  
113 present no person from envy, hatred or malice; neither will you leave  
114 any person unpresented, from love, fear or affection, or in hope of  
115 reward; but you will present cases truly, as they come to your  
116 knowledge, according to the best of your understanding and according  
117 to law; so help you God.]

118 FOR PETIT JURORS IN CRIMINAL CAUSES.

119 [You solemnly swear by the name of the ever-living God, (or affirm,  
120 as the case may be) that you will, without respect of persons or favor  
121 of any person, well and truly try, and true deliverance make, between  
122 the state of Connecticut and the defendant, whom you shall have in  
123 charge, according to law and the evidence before you; your own  
124 counsel, and your fellows', you will duly observe and keep; you will  
125 speak nothing, to any one, of the business or matters you have in hand,  
126 but among yourselves, nor will you suffer any one to speak to you  
127 about the same, but in court; so help you God.]

128 You solemnly swear or solemnly and sincerely affirm, as the case  
129 may be, that you will, without respect of any persons or favor of any  
130 person, decide this case between the state of Connecticut and the  
131 defendant (or defendants) based on the evidence given in court and on  
132 the laws of this state, as explained by the judge; that you will not talk  
133 to each other about this case until instructed to do so; that you will  
134 listen to and consider what the other jurors have to say in deliberations  
135 about this case; that you will not speak to anyone else, or allow anyone  
136 else to speak to you, about this case until you have been discharged by  
137 the court; and that when you reach a decision, you will not disclose the  
138 decision until it is announced in court; so help you God or upon  
139 penalty of perjury.

140 FOR ALTERNATE JURORS IN CRIMINAL CAUSES.

141 [You solemnly swear by the name of the ever-living God, (or affirm,  
142 as the case may be) that, if called upon to become a member of the jury  
143 to determine this cause, you will, without respect of persons or favor

144 of any person, well and truly try, and true deliverance make, between  
145 the state of Connecticut and the defendant, whom you shall have in  
146 charge, according to law and the evidence before you; your own  
147 counsel, and your fellows', you will duly observe and keep; you will  
148 speak nothing, to any one, of the business or matters you have in hand,  
149 but among yourselves, nor will you suffer any one to speak to you  
150 about the same, but in court; so help you God.]

151 You solemnly swear or solemnly and sincerely affirm, as the case  
152 may be, that, if you become a member of the jury for this case, you  
153 will, without respect of any persons or favor of any person, decide this  
154 case between the state of Connecticut and the defendant (or  
155 defendants) based on the evidence given in court and on the laws of  
156 this state, as explained by the judge; that you will not talk to each other  
157 about this case until instructed to do so; that you will listen to and  
158 consider what the other jurors have to say in deliberations about this  
159 case; that you will not speak to anyone else, or allow anyone else to  
160 speak to you about this case until you have been discharged by the  
161 court; and that when you reach a decision, you will not disclose the  
162 decision until it is announced in court; so help you God or upon  
163 penalty of perjury.

164 FOR JURORS IN CIVIL CAUSES.

165 [You solemnly swear (or affirm, as the case may be) that you will  
166 well and truly try the issue or issues, now to be given you in charge,  
167 between the plaintiff and the defendant (or plaintiffs and defendants),  
168 according to the evidence given you in court, and the laws of this state,  
169 and accordingly a true verdict give; your own counsel, and your  
170 fellows', you will duly observe and keep; you will speak nothing, to  
171 any one, of the business or matters you have in hand, but among  
172 yourselves, nor will you suffer any one to speak to you about the same,  
173 but in court; and, when you are agreed upon any verdict, you will  
174 keep it secret until you deliver it up in court; so help you God.]

175 You solemnly swear or solemnly and sincerely affirm, as the case  
176 may be, that you will decide this case between the plaintiff and the

177 defendant (or plaintiffs and defendants) based on the evidence given  
178 in court and on the laws of this state as explained by the judge; that  
179 you will not talk to each other about this case until instructed to do so;  
180 that you will listen to and consider what the other jurors have to say in  
181 deliberations about this case; that you will not speak to anyone else, or  
182 allow anyone else to speak to you, about this case; and that when you  
183 reach a decision, you will not disclose the decision until it is  
184 announced in court; so help you God or upon penalty of perjury.

185 FOR ALTERNATE JURORS IN CIVIL CAUSES.

186 [You solemnly swear (or affirm, as the case may be) that, if called  
187 upon to become a member of the jury to determine this cause, you will  
188 well and truly try the issue or issues, now to be given you in charge,  
189 between the plaintiff and the defendant (or plaintiffs and defendants),  
190 according to the evidence given you in court, and the laws of this state,  
191 and accordingly a true verdict give; your own counsel, and your  
192 fellows', you will duly observe and keep; you will speak nothing, to  
193 any one, of the business or matters you have in hand, but among  
194 yourselves, nor will you suffer any one to speak to you about the same,  
195 but in court; and, when you are agreed upon any verdict, you will  
196 keep it secret until you deliver it up in court; so help you God.]

197 You solemnly swear or solemnly and sincerely affirm, as the case  
198 may be, that, if you become a member of the jury for this case, you will  
199 decide this case between the plaintiff and the defendant (or plaintiffs  
200 and defendants) based on the evidence given in court and on the laws  
201 of this state as explained by the judge; that you will not talk to each  
202 other about this case until instructed to do so; that you will listen to  
203 and consider what the other jurors have to say in deliberations about  
204 this case; that you will not speak to anyone else, or allow anyone else  
205 to speak to you, about this case; and that when you reach a decision,  
206 you will not disclose the decision until it is announced in court; so help  
207 you God or upon penalty of perjury.

208 VOIR DIRE.

209 [You solemnly swear (or affirm, as the case may be) that you will  
210 well and truly answer such interrogatories as shall be put to you,  
211 under the direction of the court, not immediately relating to the merits  
212 of the cause now in question; so help you God.]

213 You solemnly swear or solemnly and sincerely affirm, as the case  
214 may be, that you will answer truthfully all questions that you are  
215 asked, none of which will be about the merits of the case for which the  
216 jury is being selected; so help you God or upon penalty of perjury.

217 FOR WITNESSES.

218 [You solemnly swear (or affirm, as the case may be) that the  
219 evidence you shall give, concerning the case now in question, shall be  
220 the truth, the whole truth and nothing but the truth; so help you God.]

221 You solemnly swear or solemnly and sincerely affirm, as the case  
222 may be, that the evidence you shall give concerning this case shall be  
223 the truth, the whole truth and nothing but the truth; so help you God  
224 or upon penalty of perjury.

225 FOR INVESTIGATORY GRAND JURY WITNESSES.

226 You solemnly swear or solemnly and sincerely affirm, as the case  
227 may be, that the evidence you shall give concerning this investigation  
228 into the commission of a crime or crimes, shall be the truth, the whole  
229 truth and nothing but the truth; so help you God or upon penalty of  
230 perjury.

231 FOR WITNESSES TWELVE YEARS OF AGE OR YOUNGER.

232 You promise that you will tell the truth.

233 FOR AN INTERPRETER IN A CRIMINAL CASE.

234 [You solemnly swear (or affirm, as the case may be) that you will  
235 make a true interpretation of the information (or indictment) upon  
236 which the accused stands charged, in the language which the accused  
237 understands and can speak, and of all questions which may be

238 propounded to the accused under the direction of the court; and that  
239 you will make a like true interpretation of the plea to said information  
240 (or indictment) and of the answers to such questions to this court (or to  
241 this court and jury), in the English language, according to your best  
242 skill and judgment; so help you God.]

243 You solemnly swear or solemnly and sincerely affirm, as the case  
244 may be, that you will interpret accurately the information (or  
245 indictment) that charges the accused with a crime and all questions  
246 that the accused may be asked under the direction of the court in a  
247 language the accused can understand and speak; that you will  
248 interpret accurately the pleas of the accused to the information (or  
249 indictment) and the answers of the accused to the court (or to the court  
250 and jury) in English; and that you will make all interpretations to the  
251 best of your skill and judgment; so help you God or upon penalty of  
252 perjury.

253 FOR AN INTERPRETER IN COURT.

254 [You solemnly swear (or affirm, as the case may be) that you will  
255 make a true interpretation of the oath to be administered to the  
256 witness, in the language which the witness understands and can speak,  
257 and of all questions which may be propounded to the witness under  
258 the direction of the court; and that you will make a like true  
259 interpretation of the answers to such questions to this court (or to this  
260 court and jury), in the English language, according to your best skill  
261 and judgment; so help you God.]

262 You solemnly swear or solemnly and sincerely affirm, as the case  
263 may be, that you will interpret accurately the oath to be administered  
264 to the witness and all questions that the witness may be asked under  
265 direction of the court in a language the witness can understand and  
266 speak; that you will interpret accurately the answers of the witness to  
267 the court (or to the court and jury) in English; and that you will make  
268 all interpretations to the best of your skill and judgment; so help you  
269 God or upon penalty of perjury.

270 FOR AN INTERPRETER FOR A DEAF  
271 OR HEARING IMPAIRED JUROR.

272 [You solemnly swear (or affirm, as the case may be) that you will  
273 make a true interpretation to a deaf or hearing impaired juror of the  
274 juror orientation program, of any oath to be administered to the juror,  
275 of all testimony and other relevant colloquy, and of all questions which  
276 may be propounded to the juror under the direction of the court; and  
277 that you will make a like true interpretation of the juror's answers to  
278 this court, in the English language, according to your best skill and  
279 judgment; and that you will refrain from participating in any manner  
280 in the deliberations of the jury other than making a true interpretation  
281 of jurors' remarks made during deliberation, according to your best  
282 skill and judgment; and that you will refrain from having  
283 communications with anyone outside the jury concerning the business  
284 or matters in the jurors' hands; so help you God.]

285 You solemnly swear or solemnly and sincerely affirm, as the case  
286 may be, that you will interpret accurately to a deaf or hearing impaired  
287 juror the juror orientation program, any oath to be administered to the  
288 juror, all testimony and other relevant conversation, and all questions  
289 that the juror may be asked under the direction of the court; that you  
290 will interpret accurately the answers of the juror to the court in  
291 English; that you will not participate in any manner in the  
292 deliberations of the jury other than making an accurate interpretation  
293 of the remarks of the jurors during deliberations; that you will make all  
294 interpretations to the best of your skill and judgment; and that you will  
295 not communicate with anyone outside the jury concerning the business  
296 or matters before the jury; so help you God or upon penalty of perjury.

297 FOR ASSESSORS, TO SUBSCRIBE UPON ABSTRACT.

298 I, ..., assessor of the town of ..., do solemnly swear [(or affirm, as  
299 the case may be)] or solemnly and sincerely affirm, as the case may be,  
300 that I [verily] believe that all the lists, and the abstract of said town for  
301 the year [19] 20.., are made up and perfected according to law; so help  
302 me God or upon penalty of perjury.

303 FOR PLAINTIFF, WHEN INDIFFERENT PERSON IS [DEPUTED]  
304 AUTHORIZED TO SERVE WRIT.

305 [You solemnly swear (or affirm, as the case may be) that you verily  
306 believe the plaintiff is (or plaintiffs are) in danger of losing the debt  
307 (damage or other thing) in this writ, unless an indifferent person shall  
308 be deputed for the immediate service of the same; so help you God.]

309 You solemnly swear or solemnly and sincerely affirm, as the case  
310 may be, that you believe the plaintiff is (or plaintiffs are) in danger of  
311 losing the debt (damage or other thing) in this writ, unless an  
312 indifferent person is authorized to immediately serve this writ; so help  
313 you God or upon penalty of perjury.

314 FOR MEMBERS OF A COURT-MARTIAL.

315 You solemnly swear (or affirm, as the case may be) that you will  
316 truly try and determine, according to the evidence given in court, the  
317 matters depending between this state and the officer (or officers) now  
318 to be tried; that you will not divulge the sentence of the court until the  
319 same shall have been approved or disapproved, according to law;  
320 neither will you, at any time, disclose the vote or opinion of any  
321 member of the court, unless required by due course of law; so help you  
322 God.

323 FOR THE JUDGE-ADVOCATE OF A COURT-MARTIAL.

324 You solemnly swear (or affirm, as the case may be) that you will  
325 not, at any time whatever, disclose the vote or opinion of any member  
326 of any court-martial in which you may be called to act, unless required  
327 by due course of law, nor divulge the sentence of any such court,  
328 unless the same shall have been approved or disapproved, according  
329 to law; and that you will faithfully and impartially do the duty of  
330 judge-advocate, according to your best ability; so help you God.

331 FOR OFFICIALS APPOINTED TO SERVE IN ANY POLLING  
332 PLACE IN ANY ELECTION OR PRIMARY.

333 You solemnly swear (or affirm, as the case may be) that you will  
334 faithfully discharge, according to law, your duties as ...., to the best of  
335 your ability; and that you will serve in this election or primary as the  
336 case may be, as an official, completely impartial with respect to any  
337 candidate or any political party; so help you God.

338 FOR ALL OTHER PERSONS OF WHOM AN OATH IS REQUIRED.

339 You solemnly swear [(or affirm, as the case may be)] or solemnly  
340 and sincerely affirm, as the case may be, that you will faithfully  
341 discharge, according to law, your duties as .... to the best of your  
342 [ability] abilities; so help you God or upon penalty of perjury.

This act shall take effect as follows:	
Section 1	<i>October 1, 2002</i>
Sec. 2	<i>October 1, 2002</i>

**JUD**      *Joint Favorable Subst.*

The following fiscal impact statement and bill analysis are prepared for the benefit of members of the General Assembly, solely for the purpose of information, summarization, and explanation, and do not represent the intent of the General Assembly or either House thereof for any purpose:

### **OFA Fiscal Note**

#### **State Impact:**

Fund-Type	Agency Affected	Current FY \$	FY 03 \$	FY 04 \$
GF - Cost	Various	-	Minimal	Minimal

Note: GF=General Fund

#### **Municipal Impact:**

Effect	Municipalities	Current FY \$	FY 03 \$	FY 04 \$
Cost	All Municipalities	-	Minimal	Minimal

#### **Explanation**

The bill revises the language in oaths people take under a variety of circumstances. State agencies and municipalities would incur minimal cost to print and copy these revised oaths.

**OLR Bill Analysis**

sHB 5651

**AN ACT CONCERNING STATUTORY OATHS****SUMMARY:**

This bill modernizes the language in oaths people take as:

1. attorneys;
2. civil, criminal, and potential jurors;
3. witnesses;
4. court interpreters;
5. town assessors;
6. plaintiffs, when directing an indifferent person to serve a writ immediately; and
7. required in circumstances not otherwise covered by a specific oath.

It includes in each of these oaths language requiring people who choose to affirm, rather than solemnly swear the oath, to state that they are doing so solemnly and sincerely. It also requires all who take these oaths to state that they are swearing or affirming upon penalty of perjury. (Perjury is a class D felony, punishable by one to five years in prison, a fine of up to \$5,000, or both.)

The bill eliminates an oath for court-empanelled grand jurors and adds one for investigatory grand jury witnesses.

Finally, it authorizes judge trial referees to administer oaths.

EFFECTIVE DATE: October 1, 2002

**COMMITTEE ACTION**

Judiciary Committee

Joint Favorable Substitute

Yea 40      Nay 0